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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,223	10/20/2003	Jonathan B. Hunter	D/A2521	4061
25453	7590	02/11/2005	EXAMINER	
PATENT DOCUMENTATION CENTER XEROX CORPORATION 100 CLINTON AVE., SOUTH, XEROX SQUARE, 20TH FLOOR ROCHESTER, NY 14644			BRASE, SANDRA L	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 02/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/689,223	HUNTER ET AL.	
	Examiner	Art Unit	
	Sandra L. Brase	2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
 THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-5,7-12 and 14 is/are rejected.
- 7) Claim(s) 6 and 13 is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20 October 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: ____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/20/03</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: ____ . |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “12” has been used to designate both support bars and rollers and a direction; reference character “46” has been used to designate both an exposure device and an area inside of a developer housing; and reference character “76” has been used to designate a roller and an area inside of a developer housing. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 132; 172; and 302. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the

page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 74; 76; and 80. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities.
Appropriate correction is required.
On line 3 of page 1, the U.S. Patent Application Serial No. must be filled in, where this serial no. should be "10/689,131".

On line 19 of page 4, “118,120” should be changed to “118 and 120”.

On lines 11, 12, 14, 16, 18, 19, 23, 24 and 28 of page 9; on lines 5, 6, 8, 10, 11, 13, 14, 16, 18, 21, 22, 27 and 28; of page 10; and on lines 3, 6, 8 and 18 of page 11; “176, 178” should be changed to “176 and 178”.

On lines 5, 7, 8, 10-11, 13, 15, 16-17, 19, 21 and 23 of page 10; and on lines 1 and 3 of page 11; “186,188” should be changed to “186 and 188”.

On line 8 of page 12, “a climate system 410” should be changed to “a climate system”.

On line 1 of page 14, “hose 410” should be changed to “cooling channel 410”.

Claim Objections

5. Claims 3, 6 and 8-14 are objected to because of the following informalities. Appropriate correction is required.

On line 4 of claim 3; and on line 4 of claim 10; “base” should be changed to “based”.

On line 2 of claim 6; “is” should be changed to “in”.

On line 4 of claim 8, “developing station” should be deleted.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-5, 7-12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lofftus et al. (US 5,701,550) in view of Nukada (US 6,400,915).

9. Lofftus et al. (...550) disclose a xerographic printer including an apparatus for developing a latent image recorded on a movable imaging surface, including: a reservoir (2) for storing a supply of developer material including toner particles, where the reservoir includes a developer material mixing and transport area (figure 1); a donor member (4) being arranged to receive toner particles from the reservoir and to deliver toner particles to the image surface (60) at locations spaced apart from each other in the direction of movement of the imaging surface thereby to develop the latent image thereon (col. 3, lines 33-50); and a climate system, associated with the reservoir, for maintaining the supply of developer material at a predefined temperature, where the climate system includes a heating element (22) positioned around the reservoir for heating to a predefined temperature (col. 4, lines 9-26). A sensor (26) senses the temperature of the supply of developer material (col. 4, lines 20-22). A controller (100) is in communication with the heating element and the sensor and the controller activates and deactivates the heating element based on the temperature sensed by the sensor (col. 4, lines 20-26). The heating element

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heats the reservoir to a predefined temperature during a standby mode (col. 4, lines 26-38). However, Lofftus et al. (...550) do not disclose the claimed environmental enclosure, the claimed cooling system, and the claimed fins. Nukada (...915) discloses a xerographic printer including an environmental enclosure having xerographic stations enclosed therein including an imaging member, imaging station for recording an image on the imaging member, a development station for developing the image on the imaging member, and a transfer station for transferring the developed image to a substrate (col. 6, line 55 – col. 7, line 3; and figure 2), comprising: a climate system, associated with a reservoir for storing a supply of developer material, including a cooling element for supplying cool air to and around the development station (col. 9, line 5 – col. 10, line 20). A sensor (12) senses the temperature of the supply of developer material, where a controller (14) selectively activates and de-activates the cooling element based on the temperature sensed by the sensor (col. 9, line 20-24). The cooling element cools the reservoir to a predefined temperature during a print job (col. 12, lines 4-40). The outer portion of the reservoir includes fins (33) (col. 9, lines 41-55). It would have been obvious to one of ordinary skill in the art at the time of the invention to have the claimed environmental enclosure, as disclosed by Nukada (...915), since such an environment is well known in the art for printers. Also it would have been obvious to one of ordinary skill in the art at the time of the invention to have the claimed cooling system, as disclosed by Nukada (...915), so as to prevent stored developer from going over a desired temperature. Moreover, it would have been obvious to one of ordinary skill in the art at the time of the invention to have the claimed fins, as disclosed by Nukada (...915), so as to aid the cooling process.

Allowable Subject Matter

10. Claims 6 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Prior Art

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Parker (US 5,890,033) discloses a heating device for heating a developer unit.

Robinson et al. (US 4,570,572), De Cock et al. (US 5,481,339), Kawabata (US 5,530,523), Knott et al. (US 6,185,382), Kakimoto (US 6,377,769), Izumi et al. (US 6,473,573), Hoffman et al. (US 6,771,916) and Tsukamoto et al. (US 6,785,490) disclose a cooling system.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sandra L. Brase whose telephone number is 571-272-2131. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur T. Grimley, can be reached on 571-272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sandra L. Brase
Primary Examiner
Art Unit 2852

February 4, 2005